No.	From whom received	Subject.
13	Ramen Parameswaren, Kottayam Taluq ...	On the Marumakkathayom Marriage Bill.
14	Narayanan Kunjan do.	Do.
15	Aiyappen Krishnan do.	Do.
16	Raman Velayudhan do.	Do.
17	Kasavan Aiyappen do.	Do.
18	Krishna Pillay and 3 others, Criminal Vakils ...	On the Criminal Procedure Code Amendment Bill.

THE EPIDEMIC DISEASES BILL.

Mr. Thanu Pillai.—I beg to move for leave to introduce a Bill to provide for the better prevention of the spread of dangerous epidemic diseases. The Bill has already been placed in the hands of the members and I think it hardly necessary to go into any lengthy discussion as to the object of the measure. In fact, as I have stated in the Objects and Reasons, this has already had operation as law under section 10 of Regulation II of 1063. It ceased to have effect from the 15th Chingom last and it has to be revived by the Council as a permanent enactment. When the outbreak of the plague in and about Bombay was assuming terrible proportions this Government in common with others had to enforce all the necessary precautions. The dire visitation has after all been only scotched—not killed yet—and the necessity for these safeguards continues all the same. Let alone the academical discussions of learned conventions about the origin of the disease, the lessons of bitter experience cannot be ignored that enforcement of sanitation, segregation of the affected and other preventive and precautionary measures do tell. It is essential in the paramount interests of public health that the executive should be armed with the necessary powers in this behalf and it is in this view that I commend the measure to the Council as one to be placed permanently on our Statute Book. It will be seen that the exceptional powers will be resorted to only when the ordinary provisions of the law for the time being in force are found insufficient for the purpose.

The motion was put and agreed to.

Mr. Thanu Pillai also introduced the Bill and moved that the rules be suspended and it be at once considered and passed by the Council.

He said.—The usual procedure is—when a Bill is introduced it is published in the Gazette before it is finally considered by the Council. Though technically there has been no publication of this Bill under the rules, it has been sufficiently long before the public—has been in operation for these six months—and judging from the fact that no adverse comments have been elicited, there is every reason to believe that the necessity of the measure is not considered open to question. It is a close adaptation of the British Indian Enactment. It is now urgently needed for the continuance of the arrangements that have already been made. On these considerations, I beg that the President may in exercise of his power suspend the rule in regard to publication which, as I have pointed out, is a mere formality in the present case.

Mr. Ramier.—I have, of course, nothing to say against the measure in itself. But it occurs to me that it would be well to have some publication. I doubt whether otherwise we may not be creating an undesirable precedent. The measure having been passed under the emergency section and having appeared in the Gazette as law under due sanction the public cannot be considered to have had an opportunity of expressing their views. I do not mean to put this forward as any definite proposition but merely suggest it as a point for consideration.

Mr. Nagam Aiya.—Mr. Ramier's observation is a very good one—But this is a measure of an exceptional character and has to be exceptionally treated.

Mr. Kuruvila.—The President has the power to dispense with such formality. I cannot think of a case where such power could be more reasonably exercised.

President.—If it is considered absolutely necessary I have no objection to the publication. But it means delay and during the interval the arrangements already made which are working smoothly will be quite upset.

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The President having suspended the rules the Council considered the Bill.

Mr. Thanu Pillai.—I beg to move that the Bill as now placed before the Council be passed.

Mr. Kuruvila seconded.

Carried.

THE ABKARI REGULATION AMENDMENT BILL.

Mr. Thanu Pillai.—At the last meeting of the Council I endeavoured to explain the reasons for bringing forward this Bill and to give an outline of its main provisions. I scarcely think it necessary to make any further observations at this stage. Indeed I seriously doubt whether there is any scope at all for discussion at present. This is not an entirely new measure, but an improvement and elaboration of an existing Regulation, and is entirely based on the law in force in the Madras Presidency which has been found by experience to work satisfactorily. In a measure like this I fail to see how the principle can be detached from the general details. The ground principle may perhaps be taken to be this—that drink traffic should be regulated. I do not think there would be any difference of opinion on this point. There are no other general considerations, it seems to me, which do not partake of the character of details. But as such a discussion has been thought necessary I move that the principle be discussed and affirmed.

Seconded by Mr. Nagam Aiya.

Carried.

Mr. Kuruvila.—With all meekness, I beg to draw the attention of the Council to two important principles which, I think, are established by the existing Abkari Regulation, but are affected by the proposed amendment. The first is the absolute exemption of sweet toddy from the purview of the Regulation and the second is the freedom of the land-owner or tree-owner as such, from any liability for Abkari duties, such duties being levied solely from the professional dealer in Abkari articles.

But before dwelling on the grounds for the retention of these privileges, I beg to submit a word about the special caution with which the question of Abkari revenue has to be approached and also a few words as to the general direction in which I think the amendment should be made.

It is an acknowledged principle that the Legislature should imagine itself in the position of those who are to be affected by the legislation to enable it to appreciate all the shades of the subject dealt with. But toddy and arrack which form the main subject of Abkari legislation have been long enveloped in social contempt; and though in European countries, beer and ale count their votaries even among prime ministers, none of my honored colleagues would relish the idea of being credited with even a personal acquaintance with toddy or arrack. The laboring classes who like the pristine tiller of the field, understand the ecstasy of heavenly bliss through their experience of moderate intoxication after a day's hard work and exposure are outside the pale of honorable society; and the ignorance of the conditions in which a revenue of six lacs and more is gladly paid by them is likely to dry up the springs of sympathy in the noble hearts around me. In Meenachel and other damp districts, there are several villages in which toddy-drinking has no social stigma and there are several hardworking families who usually take only one cereal meal, the other meal or meals being substituted by toddy. In my incognito travelling, I have heard a mother comfort her only son about 3 years old in his difficulty to swallow a quinine solution, by assuring him that the draught is nothing but good arrack. In the marshy and submerged districts, the laborers who have to keep themselves in water for four and five hours continuously for making bunds for the Punjah fields and other duties, find the chief vehicle and substance of their food in toddy. I should not be misunderstood as being blind to the real evil connected with intoxication. I only beg you to consider that there is another side to the question and that drunkenness is not confined to idlers and vagabonds and that the laboring and poor classes who form the majority in every clime and country as in Travancore should command our sympathy when we wield the legislative power for interfering with their important source of food and comfort.

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